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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,778	02/28/2005	Bruno Bozionek	2002P10504WOUS	8327

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Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

KANGARLOO, RAMTIN

ART UNIT	PAPER NUMBER
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2619

MAIL DATE	DELIVERY MODE
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07/09/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 10/525,778	Applicant(s) BOZIONEK ET AL.	
	Examiner RAMTIN KANGARLOO	Art Unit 2619	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 June 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
 b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: 13-32.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.
 13. ☐ Other: _____.

/Chirag G Shah/
 Supervisory Patent Examiner, Art Unit 2619

Continuation of 11. does NOT place the application in condition for allowance because: On page 2 of the applicant's response, applicant argued that Mayeul et al. (European patent Application No EP 0926909) does not disclose "determining if the first signal protocol and a second signaling protocol supported by the second device are the same protocol". Examiner respectfully disagrees. As disclosed in col.5, lines 12-15 "receiving a message at the network element; establishing whether said received message is associated with a supplementary service: determining whether an information element within said supplementary service message is in the first or second format". On page 2 of the applicant's response, applicant also argued that Mayeul does not disclose "step (2) or step (3) of claim 13". Examiner respectfully disagrees. Regarding step (2), as disclosed in col.4, lines 46-53, "detecting whether an information element within said supplementary service message is in the first or second format, and means for selective conversion of the format of said information element is in the first format at least a part of said information element is converted into the second format." Regarding step (3), as disclosed in col.4, lines 53-55, "when said information element is in said second format, transmitting said message transparently" on page2 and 3 of the applicant's response, applicant argued that Mayeul does not disclose "any process which limits conversion of a signaling method to only when the protocols are not the same." Examiner respectfully disagrees. As discloses in col.5, lines 17-20, "selectively converting the format of said information element such that when said information element is in the first format at list a part of said information element is converted into the second format" and in col. 8. Lines 13- 22 "this conversion is made in accordance with the present invention depending upon the remote capability of the next remote node for the supplementary service involved. For instance, when sending supplementary service 1 (ss1) information from node 11 to node 31, intermediate node 22 changes the operation identifier received (OI convention) from node 11 into the IV conversion is done for SS2, i.e IV to OI for a transmission from node 11 to node 31" on page 3 of the application's response, applicant also argued that Mayeul does not disclose "Neither the comparator function nor the converter function of claim 26 are suggested in the prior art). Examiner respectfully disagrees. As disclose in col.11, lines 24-30 "protocol converter 23 examines any messages destined for node 31, determines if at list a part of an information element in the message, e.g. an operation identifier is in a first format e.g. IV to OI and converts the operation identifier from IV to OI . Also on page 3 of the applicant's response, applicant argued that Mayeul does not disclose "compare device". Examiner respectfully disagrees. As disclose in fig.10, protocol converter 23 is a compare device.